REMARKS

Claims 1-49 and 51-67 were previously presented for examination. In the aforementioned Office Action, the Examiner rejected all of the claims as being anticipated under 35 U.S.C. §102 by U.S. Pat No. 4,658,370 to Erman et al. (hereinafter "Erman"), U.S. Pat. No. 5,687,384 to Nagase (hereinafter "Nagase"), and U.S. Pat. No. 6,442, 542 to Ramani et al. (hereinafter "Ramani"). By this communication, claims 49, 60-62 and 65 have been cancelled without prejudice. Claims 1-48, 51-59, 63, 64, 66 and 67 are now pending. Applicant respectfully requests reconsideration of the pending claims in view of the arguments set forth below.

Rejections Based on Erman

In section 1 of the Office Action, the Examiner rejected claims 1-49 and 51-67 under 35 U.S.C. §102(b) as being anticipated by Erman, citing the Abstract and Figures 1 and 2 of Erman to support his rejections. Applicant respectfully traverses.

Turning initially to claim 1 of the present Application, we note that this claim recites "a contact center configured to receive said communications." In rejecting this claim, the Examiner draws an apparent equivalence between the claimed "contact center" element and the general purpose computer disclosed in Erman. In response to Applicant's earlier-advanced argument that Erman does not teach a contact center, the Examiner stated that "contact center is [a] broad term which include[s] a computer." The Examiner is respectfully reminded that it is a well-settled rule that claims are normally construed as they would be by those of ordinary skill in the art. See, e.g., Fromson v. Advance Offset Plate, Inc., 219 U.S.P.Q. 1137, 1142 (Fed. Cir. 1983); Johnson Worldwide Assocs., Inc. v. Zebco Corp., 50 U.S.P.Q.2d 1607, 1610-11 (Fed. Cir. 1999). The claim term "contact center" has an established meaning in the customer-interaction software art (to which the present Application relates) that is different from, and considerably narrower than, the meaning adopted by the Examiner. More specifically, the term "contact center" has an ordinary and accustomed meaning in the customer-interaction software art of a central point or node in an enterprise from which contacts with multiple internal and/or external parties (such as customers) are managed. A contact center may be implemented in the form of a single computer, provided that the computer is specially configured with appropriate software and/or hardware that enable the computer to perform the functions of receiving and managing such

communications. In support of this point, Applicant is submitting herewith copies of three documents (an entry in an online dictionary for customer relationship management (CRM) professionals, and excerpts from white papers published by parties engaged in CRM-related activities) setting forth definitions of "contact center" that are substantially identical or closely similar to the definition offered above. These documents are identified as Exhibits A, B and C.

Erman does not disclose a "contact center", as this term is properly construed. Rather, Erman merely teaches a general purpose computer that executes a computer program containing a number of modules or subroutines. Col. 6, lines 52-56 of Erman. Erman fails to teach or suggest that its general purpose computer acts as a central point in an enterprise from which contacts are managed, or that its computer is configured with suitable software and/or hardware to perform this function. Further, one of ordinary skill in the art would not be motivated to modify Erman's general purpose computer to act as a contact center, since the problem addressed by Erwin (construction and interpretation of a knowledge base) does not involve contact management tasks. Because Erman fails to disclose or suggest a contact center, claim 1 is not anticipated thereby, and the §102 rejection based on Erman should be withdrawn.

Claim 1 further recites "at least one queue configured to store said prioritized communications." Applicant respectfully submits that Erman fails to teach or suggest this limitation. As is described in the present specification and known in the software arts, a queue is a multi-element structure wherein the elements (here, communications) are stored in order of precedence (here denoted by an assigned priority code) such that elements having higher precedence are removed from the queue for processing before elements having a relatively lower precedence. The portions of Erman cited by the Examiner for this teaching (Abstract and Figures 1 and 2) do not disclose, either expressly or implicitly, a multi-element structure of this description. Since the queue element is absent from Erman, the §102 rejection is improper and should be withdrawn.

Claims 2-17 and 51-53, which depend directly or indirectly from claim 1 and inherit all of the limitations thereof and of any intervening claims, are submitted to be patentable over Erman for at least the reasons advanced above in connection with claim 1.

Independent claim 18 recites elements substantially similar to those discussed above in connection with claim 1. More specifically, claim 18 recites "a contact center configured to receive said tasks" and "at least one queue configured to store said tasks in order of priority

code." Erman does not disclose either a contact center or a queue, as these terms are properly construed. Therefore, the rejection of claim 18 as being anticipated by Erman is improper and should be withdrawn.

Claims 19-34 and 54-56, which depend directly or indirectly from claim 18 and inherit all of the limitations thereof and of any intervening claims, are submitted to be patentable over Erman for at least the reasons advanced above in connection with claim 18.

Independent claim 35 is directed to a method for automatically prioritizing communications, including a step of "storing said prioritized communications in at least one queue according to priority code." As noted above, Erman does not disclose (either in the cited portions or elsewhere) a queue element and a step of storing communications in the queue in accordance with their assigned priority code. Furthermore, there would be no motivation to adapt the knowledge engineering tool of Erman to include such a step, since the problem solved by Erman (generation of a knowledge base) is distinct and different from the problem solved by the invention of the present Application (prioritization of received communications or tasks). Because Erman does not teach or suggest the claimed step of storing prioritized communications in a queue according to priority code, claim 35 is submitted to be patentable over Erman.

Claims 36-48 and 57-59, which depend directly or indirectly from claim 35 and inherit all of the limitations thereof and of any intervening claims, are submitted to be patentable over Erman for at least the reasons advanced above in connection with claim 35.

Independent claims 63 and 64 recite elements substantially similar to those discussed above in connection with claim 1. More specifically, both claims recite "a contact center configured to receive items" and "at least one queue configured to store the items in order of priority code." Erman does not disclose either a contact center or a queue, as these terms are properly construed. Therefore, the rejections of claims 63 and 64 as being anticipated by Erman are improper and should be withdrawn.

Finally, independent claims 66 and 67 recite elements substantially similar to those discussed above in connection with claim 35. Namely, both claims recite a step of "storing the items prioritized in at least one queue according to the priority code." Erman does not disclose a queue element and a step of storing items in the queue in accordance with their assigned priority code, and there would be no motivation to adapt the knowledge engineering tool of Erman to include such a step. Because Erman does not teach or suggest the claimed step of storing

prioritized items in a queue according to priority code, claims 66 and 67 are submitted to be patentable over Erman.

Rejections Based on Nagase

In section 2 of the Office Action, the Examiner rejected claims 1-49 and 51-67 under 35 U.S.C. §102(b) as being anticipated by Nagase, citing the Abstract and Figures 1-3 of Nagase for the teachings of all of the claim elements. Applicant respectfully traverses these rejections for reasons analogous to those discussed above in connection with the rejections based on Erman. More specifically, each of the pending claims recites one or both of the following claim elements: (i) a contact center configured to receive communications, tasks, or items, and (ii) a queue element or step of storing prioritized communications, tasks or items in a queue. Neither of these elements is disclosed by Nagase.

Claim 1 of the present Application recites "a contact center configured to receive said communications." As discussed above, the claim term "contact center" has an ordinary and accustomed meaning in the customer-interaction software art of a central point or node in an enterprise from which contacts are managed. Nagase does not disclose a "contact center", as this term is properly construed. Instead, Nagase teaches a parsing system that includes an input unit that "designates and inputs sentences or phrases which are the subject of analysis" (col. 5, lines 53-54). The disclosure of Nagase does not include any additional description of the structure or functionality of the input unit, and specifically fails to teach or suggest that its input unit acts as a central point in an enterprise from which contacts are managed. Since fails to disclose a contact center, claim 1 is not anticipated thereby, and the §102 rejection based on Nagase should be withdrawn.

Claim 1 further recites "at least one queue configured to store said prioritized communications." Applicant respectfully submits that Nagase fails to teach or suggest this limitation. As discussed above, a queue is a multi-element structure wherein the elements (here, communications) are stored in order of precedence (here denoted by an assigned priority code) such that elements having higher precedence are removed from the queue for processing before elements having a relatively lower precedence. The portions of Nagase cited by the Examiner for this teaching (Abstract and Figures 1-3) do not disclose, either expressly or implicitly, a

multi-element structure of this description. Since the queue element is absent from Nagase, the §102 rejection is improper and should be withdrawn.

Claims 2-17 and 51-53, which depend directly or indirectly from claim 1 and inherit all of the limitations thereof and of any intervening claims, are submitted to be patentable over Nagase for at least the reasons advanced above in connection with claim 1.

Independent claim 18 recites elements substantially similar to those discussed above in connection with claim 1. More specifically, claim 18 recites "a contact center configured to receive said tasks" and "at least one queue configured to store said tasks in order of priority code." Nagase does not disclose either a contact center or a queue, as these terms are properly construed. Therefore, the rejection of claim 18 as being anticipated by Nagase is improper and should be withdrawn.

Claims 19-34 and 54-56, which depend directly or indirectly from claim 18 and inherit all of the limitations thereof and of any intervening claims, are submitted to be patentable over Nagase for at least the reasons advanced above in connection with claim 18.

Independent claim 35 is directed to a method for automatically prioritizing communications, including a step of "storing said prioritized communications in at least one queue according to priority code." As noted above, Nagase does not disclose (either in the cited portions or elsewhere) a queue element and a step of storing communications in the queue in accordance with their assigned priority code. Furthermore, there would be no motivation to adapt the parsing system of Nagase to include such a step, since the problem solved by Nagase (parsing an input sentence to generate syntactic category information and syntactic, semantic, and control attributes) is distinct from the problem solved by the invention of the present Application (prioritization of received communications or tasks). Because Nagase does not teach or suggest the claimed step of storing prioritized communications in a queue according to priority code, claim 35 is submitted to be patentable over Nagase.

Claims 36-48 and 57-59, which depend directly or indirectly from claim 35 and inherit all of the limitations thereof and of any intervening claims, are submitted to be patentable over Nagase for at least the reasons advanced above in connection with claim 35.

Independent claims 63 and 64 recite elements substantially similar to those discussed above in connection with claim 1. More specifically, both claims recite "a contact center configured to receive items" and "at least one queue configured to store the items in order of

priority code." Nagase does not disclose either a contact center or a queue, as these terms are properly construed. Therefore, the rejections of claims 63 and 64 as being anticipated by Nagase are improper and should be withdrawn.

Finally, independent claims 66 and 67 recite elements substantially similar to those discussed above in connection with claim 35. Namely, both claims recite a step of "storing the items prioritized in at least one queue according to the priority code." Nagase does not disclose a queue element and a step of storing items in the queue in accordance with their assigned priority code, and there would be no motivation to adapt the parsing system of Nagase to include such a step. Because Nagase does not teach or suggest the claimed step of storing prioritized items in a queue according to priority code, claims 66 and 67 are submitted to be patentable over Nagase.

Rejections Based on Ramani

In section 3 of the Office Action, the Examiner rejected claims 1-49 and 51-67 under 35 U.S.C. §102(e) as being anticipated by Ramani, citing the Abstract and Figures 1-3 of Ramani for the teachings of all of the claim elements. Applicant respectfully traverses these rejections for reasons analogous to those discussed above in connection with the rejections based on Erman and Nagase. More specifically, each of the pending claims recites one or both of the following claim elements: (i) a contact center configured to receive communications, tasks, or items, and (ii) a queue element or step of storing prioritized communications, tasks or items in a queue. Neither of these elements is disclosed by Ramani.

Claim 1 of the present Application recites "a contact center configured to receive a communications." As discussed above, the claim term "contact center" has an ordinary and accustomed meaning in the customer-interaction software art of a central point or node in an enterprise from which contacts from multiple internal and/or external parties are managed. Ramani does not disclose a "contact center", as this term is properly construed. Instead, Ramani teaches a diagnostic system configured to identify faults in the operation of a machine (such as an item of medical equipment) by analyzing data files produced by the machine. The disclosure of Ramani does not include any structure or functionality that could be construed as teaching a central contact point from which contacts with multiple parties are managed. Since Ramani fails to disclose a contact center, claim 1 is not anticipated thereby, and the §102 rejection based on Ramani should be withdrawn.

Claim 1 further recites "at least one queue configured to store said prioritized communications." Applicant respectfully submits that Ramani fails to teach or suggest this limitation. As discussed above, a queue is a multi-element structure wherein the elements (here, communications) are stored in order of precedence (here denoted by an assigned priority code) such that elements having higher precedence are removed from the queue for processing before elements having a relatively lower precedence. The portions of Ramani cited by the Examiner for this teaching (Abstract and Figures 1-3) do not disclose, either expressly or implicitly, a multi-element structure of this description. Since the queue element is absent from Ramani, the §102 rejection is improper and should be withdrawn.

Claims 2-17 and 51-53, which depend directly or indirectly from claim 1 and inherit all of the limitations thereof and of any intervening claims, are submitted to be patentable over Ramani for at least the reasons advanced above in connection with claim 1.

Independent claim 18 recites elements substantially similar to those discussed above in connection with claim 1. More specifically, claim 18 recites "a contact center configured to receive said tasks" and "at least one queue configured to store said tasks in order of priority code." Ramani does not disclose either a contact center or a queue, as these terms are properly construed. Therefore, the rejection of claim 18 as being anticipated by Ramani is improper and should be withdrawn.

Claims 19-34 and 54-56, which depend directly or indirectly from claim 18 and inherit all of the limitations thereof and of any intervening claims, are submitted to be patentable over Ramani for at least the reasons advanced above in connection with claim 18.

Independent claim 35 is directed to a method for automatically prioritizing communications, including a step of "storing said prioritized communications in at least one queue according to priority code." As noted above, Ramani does not disclose (either in the cited portions or elsewhere) a queue element and a step of storing communications in the queue in accordance with their assigned priority code. Furthermore, there would be no motivation to adapt the parsing system of Ramani to include such a step, since the problem solved by Ramani (identifying faults in machine operation by analysis of data files) is distinct from the problem solved by the invention of the present Application (prioritization of received communications or tasks). Because Ramani does not teach or suggest the claimed step of storing prioritized

communications in a queue according to priority code, claim 35 is submitted to be patentable over Ramani.

Claims 36-48 and 57-59, which depend directly or indirectly from claim 35 and inherit all of the limitations thereof and of any intervening claims, are submitted to be patentable over Ramani for at least the reasons advanced above in connection with claim 35.

Independent claims 63 and 64 recite elements substantially similar to those discussed above in connection with claim 1. More specifically, both claims recite "a contact center configured to receive items" and "at least one queue configured to store the items in order of priority code." Ramani does not disclose either a contact center or a queue, as these terms are properly construed. Therefore, the rejections of claims 63 and 64 as being anticipated by Ramani are improper and should be withdrawn.

Finally, independent claims 66 and 67 recite elements substantially similar to those discussed above in connection with claim 35. Namely, both claims recite a step of "storing the items prioritized in at least one queue according to the priority code." Ramani does not disclose a queue element and a step of storing items in the queue in accordance with their assigned priority code, and there would be no motivation to adapt the fault identification system of Ramani to include such a step. Because Ramani does not teach or suggest the claimed step of storing prioritized items in a queue according to priority code, claims 66 and 67 are submitted to be patentable over Ramani.

CONCLUSION

Based on the above remarks, Applicant believes that the rejections in the Office Action of August 25, 2003 are fully overcome, and that the application is in condition for allowance. If the Examiner has questions regarding this case, he is invited to contact the Applicant's undersigned representative at the number given below.

Respectfully Submitted,

Yoram Nelken

Date: 23 Oct. 2003 By: _____

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* * * TRANS[redacted]SION RESULT REPORT (OCT.23.2003 [redacted]37PM) * * *

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# : BATCH	C : CONFIDENTIAL	P : POLLING	M : MEMORY
L : SEND LATER	@ : FORWARDING	E : ECM	> : REDUCTION
S : STANDARD	D : DETAIL	F : FINE	

EXHIBIT A

whatis.com: searchCRM.com Definitions - contact center

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BROWSE WHATIS.COM DEFINITIONS: A B C D E F G H I J K L M N O P Q R S T U V W X Y Z # BROWSE ALL CATEGORIES

Search whatis.com for: Search - OR - Search this site: Search

contact center

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The term you selected is being presented by searchCRM.com, a TechTarget site for CRM professionals.

A contact center (also referred to as a *customer interaction center* or *e-contact center*) is a central point in an enterprise from which all customer contacts are managed. The contact center typically includes one or more online call centers but may include other types of customer contact as well, including e-mail newsletters, postal mail catalogs, Web site inquiries and chats, and the collection of information from customers during in-store purchasing. A contact center is generally part of an enterprise's overall customer relationship management (CRM).

A contact center would typically be provided with special software that would allow contact information to be routed to appropriate people, contacts to be tracked, and data to be gathered. A contact center is considered to be an important element in multichannel marketing.

>> Find products and vendors related to contact center.

Read more about it:

>> At SearchCRM.com, Bryant Downey differentiates a contact center from a call center.

>> At Direct Magazine, Michael T. Capizzi discusses multichannel marketing in "Customer Relationship Management: There's Only One Customer."

Last updated on: Aug 17, 2001

<< Back to previous page Go to whatis.com home page >>

EXHIBIT B

ITSC

Information Technology Support Center

State of Maryland • Mitretek Systems • Lockheed Martin Corporation • University of Maryland

Sponsored by the U.S. Department of Labor

Winner of Case Study Award - International Summit on Service to the Citizen

Winner of Showcase Award - Joint Employment and Training Technology Conference

The Evolution of the Call Center to 'Customer Contact Center'

White Paper

February 2001

Version 1.0

Lisa Hawkins, Senior Staff

Tim Meier, Project Leader

W. Scott Nainis, Chief Technologist

Henry M. James, Executive Director

1.1 WHAT IS A CUSTOMER CONTACT CENTER?

As call centers evolve, the call center industry continues to search for a new label that captures the essence of the call center of the 21st century. The driving forces in the evolution of the call center are customer satisfaction and loyalty, in addition to technology. It is fitting that the centers have become known across the industry as customer care or customer contact centers while individual customer contact centers are each defined by their ability to receive and distribute multimedia "contacts" and provide the customer communications flexibility as depicted in Figure 1.

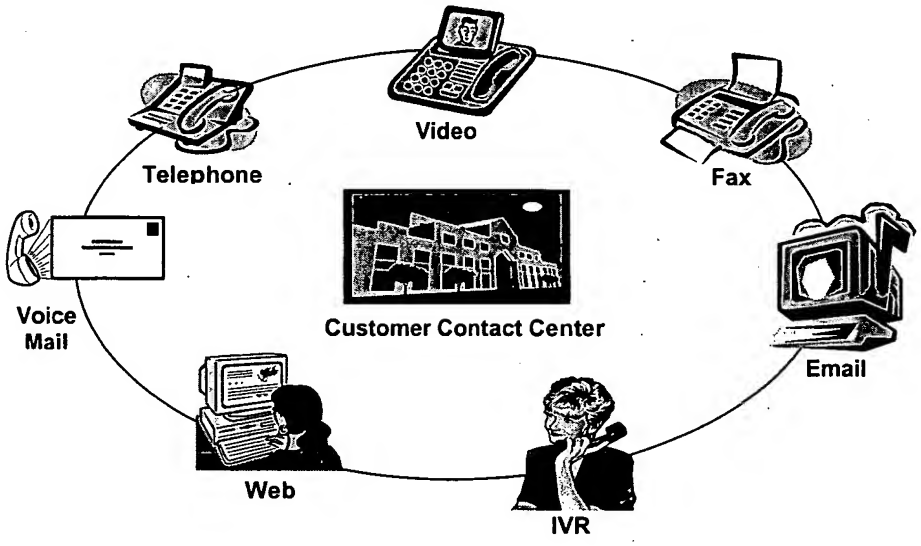


Figure 1. Customer Contact Center

Customer Contact Centers, as they have evolved from telephone call centers, are given the following definition:

> ***"Customer Contact Centers are...a unified Call Center system that can track customer needs no matter which mode they use to contact the organization: telephone, face-to-face, web self-service, e-mail, chat, voicemail, interactive voice response (IVR), video or fax, with the goal of providing consistent service across all touchpoints.[1]"***

[1] Costello, D., January 2000, "Death of the Call Center", *Sales& Marketing Automation*, pp. 31-38.

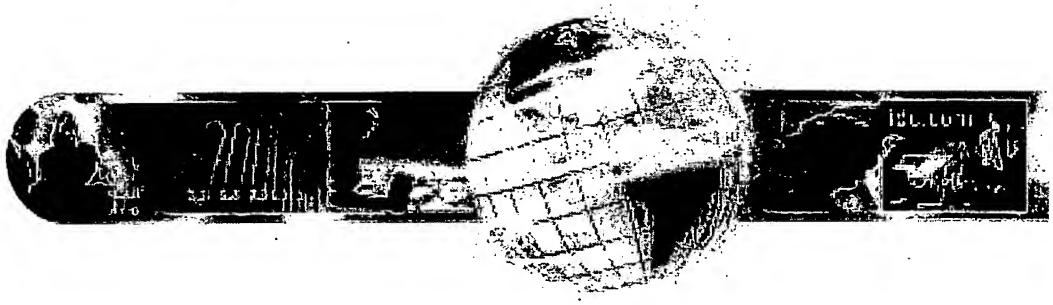
1.2 EVOLUTION OF CALL CENTERS TO CUSTOMER CONTACT CENTERS

It is arguable to say that call centers have been in existence ever since businesses and companies placed telephones on employee's desks. The formal "Call Center" label did not come into use until 1980, however, customers or clients still had the option to call a company with a question or concern, and speak to a company representative. With the only real existing call center related technology at that time being the phone, the company representative would then either answer the question, or ask for the caller's name and phone number to call them back. In order to provide the customer with information, the company employee had to manually research the issue by the time-intensive process of searching through paper records and files to find answers to questions.

In the 1960's and 1970's, the advent of computers allowed organizations to begin providing improved service to customers over the phone. Using computer technology, employees now had the means to obtain information more readily about products or services while speaking with a customer over the phone. This helped eliminate the need for employees to complete a manual search for information, and place a call back to the customer. Call centers were beginning to use switching equipment on the premises, however Private Branch Exchanges (PBX's) were still extremely limited in their ability to handle multiple calls and call switching. The PBX basically provided a one-to-one relationship between the inbound call from the customer and the employee.

The introduction of the Personal Computer (PC) in the 1980's meant telephone functionality could become increasingly computer controlled as depicted in Figure 2. Computer performance and capability evolved, which made it possible for the switches to handle large volumes of calls and to be able to route those calls to the next available agent. With advanced public digital telephone infrastructures and the ability of the first line agent to take orders, check inventories, etc., organizations were able to provide a total service for its customers via the telephone. This ability for providing total service via one telephone call has had a profound impact on the way business is conducted around the world.

EXHIBIT C



Transforming Your Call Center into a Contact Center: Where Are You? Trends & Recommendations

An IDC Executive Brief (#33)

Adapted from: Worldwide CRM Applications Market Forecast and Analysis Summary, 2001–2005, IDC #24790, June 2001

The corporate call center is changing as new forms of communication are giving corporations new burdens — and new opportunities. Customers can now contact enterprises in many different ways — via a Web site, email, text chat, voice over IP (VOIP), and, of course, through the phone. Not only must corporations enable these many different types of interactions, they must serve the customer the same way, no matter what means they use for contact. Companies need to remember email conversations when they have a customer on the phone, and vice versa.

This level of customer service demands that the call center evolve to become something more — a contact center. A contact center is a centralized point for providing customer service for all types of customer interaction. One of the keys to successfully implementing a contact center is to provide agents with integrated access to all forms of customer contact. Once a company has made this step, it will gain several advantages. These advantages include greater operational efficiencies, better customer service and retention, and the ability to wean itself off of an over reliance on email as a means of communicating with customers.

IDC
Analyze the Future